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SCOTTISH STATUTORY INSTRUMENTS

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**2011 No. 331**

**The Prisons and Young Offenders  
Institutions (Scotland) Rules 2011**

**PART 14**

**TRANSFER AND RELEASE OF PRISONERS**

**Interpretation of Part 14**

**129.** For the purposes of this Part “release” does not include temporary release.

**Pre-release preparation**

**130.** At an appropriate time before a prisoner is released from prison the Governor shall discuss, or arrange with some other person to discuss, with that prisoner the immediate needs or welfare issues of that prisoner upon release.

**Healthcare assessment prior to transfer**

**131.** Where the Governor proposes to transfer a prisoner to another prison and the Governor is aware that the prisoner is receiving medical supervision from a healthcare professional, the Governor must—

- (a) seek advice from a healthcare professional as to the prisoner’s fitness to travel; and
- (b) take into account any advice received from a healthcare professional as to the prisoner’s fitness to travel,

prior to ordering the transfer of that prisoner.

**Provision of clothing and return of property**

**132.** At the time of a prisoner’s release, the Governor must—

- (a) if the prisoner has insufficient clothing to meet his or her immediate needs following release, provide suitable clothing to meet the prisoner’s immediate needs; and
- (b) subject to Part 7, return to the prisoner all property belonging to the prisoner that was accepted into or purchased within prison and which has not been disposed of or destroyed in pursuance of any rule or direction.

**Release of fine defaulters after payment**

**133.—(1)** This rule applies to a prisoner who is committed to prison or otherwise detained in a prison for failure to pay a fine imposed by a court.

(2) A prisoner to whom this rule applies may be treated for the purposes of section 220 of the 1995 Act<sup>(1)</sup> as having paid to the Governor any sum in part satisfaction of the fine provided the prisoner makes payment to the Governor using one of the approved methods of payment specified in a direction by the Scottish Ministers.

(3) The Scottish Ministers may also specify in a direction made under paragraph (2) the forms of identification which may be required for the purposes of certain methods of payment.

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(1) 1995 c.46; section 220 was amended by the Criminal Justice (Scotland) Act 2003, Schedule 4, paragraph 3.